

MILPERSMAN 1900-030

SEPARATION OF ENLISTED OR OFFICER PERSONNEL BY REASON OF CONVENIENCE OF THE GOVERNMENT - SURVIVING FAMILY MEMBER

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| Responsible Office | NAVPERSCOM (PERS-832) Enlisted | Phone: DSN COM FAX | 882-4431/4439 (901) 874-4431/4439 882-2754 |
| | NAVPERSCOM (PERS-834) Officer | Phone: DSN COM FAX | 882-2090 (901) 874-2090 882-2621 |
| | NAVPERSCOM (PERS-913) Inactive Enlisted | Phone: DSN COM FAX | 882-4470 (901) 874-4470 882-2673 |
| | NAVPERSCOM (PERS-911) Inactive Officer | Phone: DSN COM FAX | 882-4485 (901) 874-4485 882-2673 |
| NAVPERSCOM CUSTOMER SERVICE CENTER | | Phone: Toll Free | 1-866-U ASK NPC |

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| Reference | (a) DODD 1315.15 of 26 Sep 88 |
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1. **Separation Authority.** Commander, Navy Personnel Command (COMNAVPERSCOM).
2. **Policy.** Per reference (a), members may request separation based on becoming a surviving family member.
3. **Definitions**

a. **Surviving family member** is any son or daughter in a family where the father, mother, or one or more sons or daughters

(1) have been killed in action or have died from wounds, accident, or disease when serving in the United States Armed Forces.

(2) are in a captured or missing in action status.

(3) have a permanent 100 percent service-related disability as determined by the Department of Veteran's Affairs, or one of the military services, and are not gainfully employed because of the disability.

b. A family is considered husband, wife, father, mother, son(s), daughter(s), brother(s), and sister(s) in the following categories:

(1) A brother or sister of the whole blood.

(2) A brother or sister of the half blood.

(3) A stepbrother or stepsister.

(4) A brother or sister by adoption.

4. **Exceptions.** Separation by reason of surviving family member will not be approved

a. when a member has courts-martial charges pending, has been convicted with appellate review in process, is serving a sentence to confinement, or is otherwise undergoing punishment imposed by a court-martial.

b. when a member is being processed for involuntary separation.

c. during period of war or national emergency declared by Congress.

5. **Waivers of Eligibility.** Members previously advised of the separation provisions for surviving family member and who subsequently enlist, reenlist, or voluntarily extend enlistment after having been notified of a family casualty, waive their rights for separation as surviving family member. Subsequent requests will be considered on a case-by-case basis depending on the merits of each case. A NAVPERS 1070/613 (Rev. 10-81), Administrative Remarks entry upon enlistment, reenlistment, or extension will be made as follows:

(Date): _____ has been advised that he/she qualifies for requesting discharge from Navy based on being a surviving family member per MILPERSMAN 1900-030. He/she desires to (enlist/reenlist/extend enlistment) and waives the right to request separation based on being a surviving family member. He/she understands that a request for a waiver of this election may be made at any future time and will be considered on a case-by-case basis, with no guaranteed approval.

Commanding Officer or By direction signature

Acknowledged:

Member's signature

The "Procedures" paragraph below provides information on reinstatement of these rights.

6. **Restrictive Duty Assignments.** Designation as a surviving family member does not permit a member's retention in a restrictive duty assignment, i.e., humanitarian assignment.

7. **Procedures.** The member will submit a written request for discharge via the commanding officer (CO) to Navy Personnel Command (NAVPERSCOM),

- Enlisted Performance and Separations Section (PERS-832) for active enlisted,
- Officer Performance and Separations Section (PERS-834) for active officers,
- Reserve Enlisted Personnel Section (PERS-4913) for inactive enlisted, or
- Reserve Officer Status Section (PERS-4911) for inactive officers as follows:

a. **For enlisted:**

- (1) Nature of the disability of the family member.

(2) Individual's full name, grade/rate, SSN, military service branch, and relationship to the member whose status made the member eligible for surviving family member status.

(3) Explain omission of any information and rationale for not waiting for the above-mentioned items.

(4) Submit requests for reinstatement of rights for separation as a surviving family member in writing to NAVPERSCOM (PERS-832) via the member's CO. Include the same documents as requested above and include a written statement of the circumstances, which now prompt the request.

b. For officers:

(1) Submit a resignation request per MILPERSMAN articles 1920-190 and 1920-200. Subject line should read, "RESIGNATION REQUEST BASED ON BECOMING A SURVIVING FAMILY MEMBER."

(2) Ensure the following information is included in enclosure (1) to the request:

(a) Nature of the disability of the family member.

(b) Individual's full name, grade/rate, SSN, military service branch, and relationship to the member whose status made the member eligible for surviving family member status.

(3) Explain omission of information and rationale for not waiting for the above-mentioned item(s).

(4) Submit requests for reinstatement of rights for separation as a surviving family member in writing to NAVPERSCOM (PERS-834) via the member's CO. Include the same documents as requested above and include a written statement of the circumstances, which now prompt the request.

8. **Characterization of Separation.** Honorable unless a General or Entry Level Separation (ELS) is warranted per MILPERSMAN 1910-300.